

### **REMARKS/ARGUMENTS**

In the Final Official Action, claims 1, 5-8, and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by ELLIS (U.S. Patent No. 6,766,526 B1). Claims 2 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over ELLIS in view of KIM et al. (U.S. Patent Application Publication No. 2009/0178077 A1). Claims 3-4 and 10-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over ELLIS in view of YUEN et al. (U.S. Patent No. 6,430,358 B1).

Upon entry of the present amendment, dependent claims 2-5 and 9-11 have been amended. Independent claims 1, 8, and 12 have been cancelled. New independent claims 13-15 have been added. Thus, claims 2-7, 9-11, and 13-15 are currently pending for consideration by the Examiner.

Upon entry of the present amendment, each of the previous independent claims 1, 8, and 12 have been cancelled. Additionally, claims 2-7 have been amended to depend upon new independent claim 13, and claims 9-11 have been amended to depend upon new independent claim 14.

Thus, the previous rejections of claims 1, 5-8, and 12 (which includes now-cancelled independent claims 1, 8, and 12) under 35 U.S.C. § 102(e) as being anticipated by ELLIS has been rendered moot. As a result, the rejection of dependent claims 2 and 9 under 35 U.S.C. § 103(a) as being unpatentable over ELLIS and KIM; and the rejection of dependent claims 3-4 and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over ELLIS and YUEN, have also been rendered moot.

Applicants respectfully submit that the specific combination of features recited in new independent claims 13-15 are not disclosed or rendered obvious by ELLIS, KIM, YUEN, or any

proper combination thereof, for at least several reasons. Additionally, new independent claims 13-15 are consistent with the Examiner's recommendations made during the Examiner Interview held on May 26, 2010. (See the Statement of the Substance of Examiner Interview on page 13 of this Submission.)

For instance, new independent claim 13 explicitly recites a controlled device in communication with a remote server through a network, the remote server also being in communication with a remote user terminal through the network (emphasis added). Applicants submit that new independent claim 13 recites a specific of a system involving three distinct and separate components. These three components include (1) a remote user terminal that is in communication with (2) a remote server through a network, wherein the remote server is in communication with (3) a controlled device through the network. (See, for instance, Applicants' Figures 1 and 3 as exemplary, non-limiting illustrations of this system configuration.)

New independent claim 13 also explicitly recites that the controlled device includes *a receiver that receives control information from the remote server through the network* (emphasis added); and that *the control information is generated by the remote server in response to a user operation on the remote user terminal, which is in communication with the remote server through the network* (emphasis added).

In distinct contrast, Applicants submit that the embodiments of ELLIS' system, as disclosed for instance in ELLIS' Figures 1 and 12 and the corresponding descriptions, are fundamentally different from that recited in new independent claim 13. In Figures 1 and 12, ELLIS disclose a user's television set-top box (30 and 30', respectively) associated with the user's television equipment (22 and 22', respectively) as a controlled device, which is controlled

by a local user input device (40), i.e., a local set-top box remote controller, via local communication link.

Applicants submit that ELLIS' localized configuration is distinctly different from how Applicant's controlled device interacts with the system over a network, as recited in new independent claim 13, for at least several reasons. First, ELLIS fails to disclose a remote user terminal that transmits a user operation through a network to a remote server. Secondly, ELLIS fails to disclose a remote server that generates control information in response to the user operation at the remote user terminal. Third, ELLIS fails to disclose a controlled device having a receiver that receives the generated control information from the remote server through the network, which causes the controlled device to perform an operation based on the received control information.

Applicants also submit that ELLIS fails to disclose a controlled device that receives control information *wherein the control information includes a broadcast station number, which corresponds to a broadcast station selected during the user operation on the remote user terminal, and a channel table that is automatically transmitted to the receiver from the remote server through the network in response to the user operation on the remote user terminal* (emphasis added), as explicitly recited in new independent claim 13.

In contrast, ELLIS Figure 14, for instance, illustrates a television screen from which the user uses the local set-top box remote controller to select a specific numeric channel from among the three content sources identified in ELLIS Figure 12. More specifically, the user in ELLIS selects channel 46C originating from a cable system, channel 46S originating from a satellite system, or channel 46B originating from a broadcast distribution facility. However, Applicants submit that ELLIS does not disclose the specification of channel numbers based upon a received

broadcast station number with reference to a received channel table, as recited in new independent claim 13. Applicants also submit that ELLIS fails to disclose a user operation on a remote terminal selecting a broadcast station number that causes the generation of control information in a remote server, and that causes the remote server to then transmit the channel table to the receiver of the controlled device.

Applicants submit that due to the fundamental differences between ELLIS and Applicants' new independent claim 13, ELLIS' memory (35) in ELLIS' set top box (30) does not include a storage section that stores a received channel table which associates broadcast station numbers with channel numbers, as recited in claim 13. In fact, Applicants submit that it appears that ELLIS fails to provide any disclosure regarding broadcast station numbers.

Thus, for at least the reasons discussed above, Applicants respectfully submit that ELLIS does not anticipate new independent claim 13, since ELLIS does not disclose each and every feature recited in new independent claim 13. Applicants also submit that new independent claim 13 is not rendered obvious by ELLIS, KIM, YUEN, or any combination thereof, since neither KIM nor YUEN remedy the distinct deficiencies of ELLIS discussed above. Additionally, Applicants submit that claims 2-7, which depend upon new independent claim 13, are also patentable for at least the reasons discussed above, and further for the specific features recited therein.

Applicants submit that new independent method claim 14 and new independent server claim 15 are also patentable for reasons similar to the reasons discussed above regarding new independent claim 13, since new independent claims 14 and 15 each recite features similar to the features discussed above regarding new independent claim 13. Claims 14 and 15 also recite additional features. For instance, new independent server claim 15 explicitly recites that the

server includes a storage that stores various channel tables set for a plurality of different areas. Additionally, Applicants submit that claims 9-11, which depend upon new independent claim 14, are also patentable for at least the reasons discussed above, and further for the specific features recited therein.

From the amendments, arguments, and remarks provided above, Applicants respectfully submit that the pending claims 2-7, 9-11, and 13-15 in the present patent application are patentable over the cited references. Accordingly, Applicants respectfully request that an indication of the allowability of claims 2-7, 9-11, and 13-15 be provided in the next Official communication.

## **STATEMENT OF THE SUBSTANCE OF EXAMINER INTERVIEW**

On May 26, 2010, a telephonic interview was held regarding the present patent application. The participants in the interview were Examiner Jonathan V. Lewis and Applicants' Attorney Gary V. Harkcom. During the interview, Mr. Harkcom primarily addressed the rejection of independent claims 1, 8, and 12 under 35 U.S.C. § 102(a) as being anticipated by ELLIS. Mr. Harkcom pointed out that ELLIS does not disclose the configuration and operation of a remote user terminal, remote server, and controlled device as recited in the independent claims, and that ELLIS' set top box (30) does not include a storage section that stores a channel table which associates broadcast station numbers with channel numbers. The interview also included a discussion of the distinction between broadcast station numbers and channel numbers, and the Examiner's interpretation of the claims as only required two devices instead of three devices.

Although no specific agreement was reached, Examiner Lewis indicated that an amendment clarifying the configuration and operation of the three components, i.e., the remote user terminal, remote server, and controlled device, consistent with the interview, would likely overcome the rejection. Examiner Lewis also recommended that the expression "on the basis of" be replaced with alternative language. Examiner Lewis further indicated that he would need to update his search before a final determination of patentability could be made. Mr. Harkcom stated that an amendment consistent with the interview would be submitted soon.

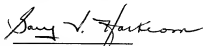
### SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Final Official Action is respectfully requested and an indication of the allowance of claims 2-7, 9-11, and 13-15 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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